



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/186,869	11/04/1998	KARL W. HASEL	216019-93

CONFIRMATION NO. 2377



\*OC000000012756826\*

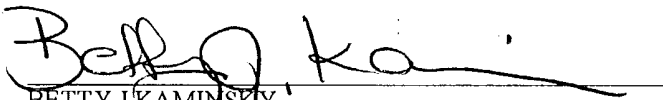
Brian M. Berliner  
 O'MELVENY & MYERS LLP  
 400 South Hope Street  
 Los Angeles, CA 90071-2899

Date Mailed: 05/24/2004

## NOTICE REGARDING CHANGE OF POWER OF ATTORNEY

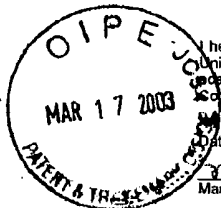
This is in response to the Power of Attorney filed 03/17/2003.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

  
 BETTY J KAMINSKY  
 1600 (571) 272-0600

FORMER ATTORNEY/AGENT COPY

CERTIFICATE OF MAILING



I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D. C. 20231.

Date: March 12, 2003

Maria Zita Chua

*Maria Zita Chua*

RECEIVED

MAR 20 2003

TECH CENTER 1600/2900

PATENT  
216019-93 (98,429)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HASEL et al.

Serial No.: 09/186,869

Filed: November 4, 1998

Title: Method For Indexing And Determining  
The Relative Concentration Of Expressed  
Messenger RNAs

Art Unit: 1637

Examiner: Jeffrey Norman Fredman

APPROVED

REQUEST FOR PERMISSION TO WITHDRAW AS  
ATTORNEY OF RECORD (37 C.F.R. § 10.40(c))

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned attorney, on behalf of himself and the other attorneys of record, who are members or associates in the firm of O'MELVENY & MYERS LLP, or who were so listed at the time of their appointment, and on behalf of any attorneys appointed by any of the attorneys on whose behalf this petition is filed, requests the approval of the Commissioner to withdraw as attorneys of record.

The attorneys on whose behalf this request to withdraw is filed include:

BERLINER, Brian M., Registration No. 34,549  
AJALAT, Christiana M., Registration No. 50,956  
DALKE, David, Registration No. 40,980  
FITZSIMMONS, Todd E., Registration No. 44,683  
HSUEH, Peter C., Registration No. 45,574  
JAECH, Jonathan A., Registration No. 41,091  
MILLER, Mark E., Registration No. 31,401  
SCHRADER, Scott A., Registration No. 47,928  
YAGURA, Ryan K., Registration No. 47,191

Serial No. 09/186,869

March 12, 2003

Page 2

The present mailing address of the attorneys of record is:

O'MELVENY & MYERS LLP  
400 South Hope Street  
Los Angeles, CA 90071-2899

This application has been assigned by the Applicants to Digital Gene Technologies, Inc. (Reel/Frame Number: 012878/0006). The present mailing address of the Assignee is:

DIGITAL GENE TECHNOLOGIES, INC.  
11149 North Torrey Pines Road  
Suite 110  
La Jolla, CA 92037

Items pertinent to the request for withdrawal are set forth below.

1. Basis For Withdrawal Request. The basis for the request for withdrawal is 37 C.F.R. 10.40(c)(1)(vi), failure to pay bills rendered by the attorneys of record for an unreasonable period of time.
2. Notification Of Client: In accordance with 37 C.F.R. § 10.40(a), copies of this request are being sent to the Assignee.

At least thirty (30) days remain for the Assignee to take any action due in this case or an appropriate request for extension of time accompanies this request seeking additional time. The attorneys on whose behalf this petition is filed will ensure that the Assignee has sufficient time after approval of this request to reply or employ another to reply to any outstanding requirement of the U.S. Patent and Trademark Office.

3. Number Of Copies Of Request. This request is enclosed in triplicate.

Serial No. 09/186,869  
March 12, 2003  
Page 3

Further communications regarding this application should be directed to the Assignee at the following address:

Robert Sutcliffe, Esq.  
DIGITAL GENE TECHNOLOGIES, INC.  
11149 North Torrey Pines Road  
Suite 110  
La Jolla, CA 92037

Signature of the authorized attorney on behalf of himself and the other attorneys of record of the withdrawing firm, O'Melveny & Myers LLP.

Respectfully submitted,



Brian M. Berliner  
Authorized Attorney  
Registration No. 34,549

Date: March 12, 2003

**O'MELVENY & MYERS LLP**  
400 South Hope Street  
Los Angeles, CA 90071-2899  
Telephone: (213) 430-6000

cc: Robert Sutcliffe, Esq.  
Digital Gene Technologies, Inc.